REAL ESTATE AGENCY 1 BEFORE THE REAL ESTATE COMMISSIONER 2 3 4 In the Matter of the Property Manager License) of 5 STIPULATED FINAL ORDER 6 7 WESLEY JEROME FREEMAN 8 9 10 The Oregon Real Estate Agency (Agency) and Wesley Jerome Freeman (Freeman) do 11 hereby agree and stipulate to the following: 12 FINDINGS OF FACT 13 & 14 CONCLUSIONS OF LAW 15 1. 16 1.1 Freeman was initially licensed as a property manager on September 25, 2006. 17 Currently, Freeman's property manager license is inactive. 18 1.2 On February 17, 2021, Chris Aufett submitted a complaint to the Agency on 19 behalf of his mother Shirley Burke (Burke) against Freeman. 20 1.3 On February 1, 2018, Freeman's license expired when he failed to renew in 21 January 2018. On May 15, 2018, Freeman renewed his license but failed to associate his 22 license with a registered business name, and therefore, starting June 16, 2018, Freeman's 23 property manager license became inactive. 24 1.4 Between February 1, 2018 and October 18, 2018, Freeman did not have an 25 active license. On October 19, 2018, Freeman's license became active again and was 26 associated with the registered business name WJ Freeman LLC Property Management. 27 1.5 The property management agreement dated August 20, 2017, between Shirley 28 Burke and WJ Freeman LLC was for the following three properties: 2836 Greentree, 1995 W 29 28th, and 2795 Garfield, Eugene Oregon. 30 ///

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- 1.6 During the time Freeman's license was expired and inactive, from February 1, 2018 through October 18, 2018, Freeman was actively engaged in a property management agreement with Burke.
- 1.7 A copy of check #22780 was submitted for the investigation. The check was dated August 17, 2018 and made payable to Burke and was for a security deposit for 2836 Greentree Way, a deposit that Freeman collected on behalf of Burke. Freeman wrote the corresponding lease agreement which was between Burke as the "Landlord" and the tenants. The lease agreement was signed on August 17, 2018.
- 1.8 Freeman submitted cash flow statements to the Agency for the months of March 2018, April 2018, and July through December 2018. According from Freeman, a monthly statement was delivered to Burke.
- 1.9 A Termination of Management Agreement dated December 1, 2018, stated the property management agreement with Burke would end on February 1, 2019.
- 1.10 During the investigation, Freeman was asked why he wasn't able to keep his license active over the years as required. Freeman said that property management was not his main job and more like a weekend thing.

Violation: By continuing to manage Shirley Burke's property, while he did not have an active license from February 1, 2018 through October 18, 2018, Freeman violated ORS 696.020(2) (2017 Edition) and is subject to discipline and civil penalty pursuant to ORS 696.990(4).

2.

According to ORS 696.775, the lapsing, expiration, revocation or suspension of a real estate license, whether by operation of law, order of the Real Estate Commissioner or decision of a court of law, or the inactive status of the license, or voluntary surrender of the license by the real estate licensee does not deprive the commissioner of jurisdiction to: (1) proceed with an investigation of the licensee; (2) conduct disciplinary proceedings relating to the licensee; (3) Take action against a licensee, including assessment of a civil penalty against the licensee for a violation of ORS 696.020(2); or (4) revise or render null and void an order suspending or revoking a license.

STIPULATION & WAIVER

I have read and reviewed the above findings of fact and conclusions of law which have been submitted to me by the Agency and further, the order which follows hereafter. I understand that the findings of fact, conclusions of law and this stipulation and waiver embody the full and complete agreement and stipulation between the Agency and me. I further understand that if I do not agree with this stipulation I have the right to request a hearing on this matter and to be represented by legal counsel at such a hearing. Hearings are conducted in accordance with the procedures set forth in ORS Chapter 183 and in accordance with the Rules of Practice and Procedure adopted by the Attorney General of the State of Oregon. I freely and voluntarily waive my rights to a hearing, to representation by legal counsel at such a hearing, and to judicial review of this matter.

I hereby agree and stipulate to the above findings of fact and conclusions of law and understand that the order which follows hereafter may be completed and signed by the Real Estate Commissioner or may be rejected by the Real Estate Commissioner. I understand that, in accordance with the provisions of ORS 696.445(3), notice of this order shall be published in the Oregon Real Estate News Journal. I agree once the Commissioner executes this stipulated order, I will accept service of the final order by email, and hereby waive the right to challenge the validity of service.

ORDER

IT IS HEREBY ORDERED that, pursuant to ORS 696.990 and based upon the violation set forth above, Freeman pay a civil penalty in the sum of \$100.00, said penalty to be paid to the General Fund of the State Treasury by paying the same to the Agency.

IT IS SO STIPULATED: IT IS SO ORDERED:

DocuSigned by:

Wesley Freeman

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WESLEY JEROME FREEMAN

Date 8/25/2021 | 11:33 AM PDT

Steven Strode
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DocuSigned by:

STEVEN STRODE

Real Estate Commissioner

Date 9/1/2021 | 7:53 AM PDT

Date of Service: 09/01/2021

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